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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION ONE

In re M.E., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

M.E.,

Defendant and Appellant.

A145272

(Sonoma County
Super. Ct. No. 37804J)

Defendant M.E. appeals from a dispositional order committing her to the Department of Juvenile Justice (DJJ) for a maximum period of five years. The order followed her admissions of the underlying charge of felony witness intimidation (Pen. Code, § 136.1, subd. (c)(1))¹ and an attached gang enhancement (§ 186.22, subd. (b)(1)(B)) and subsequent wardship condition violations. Her appellate counsel has raised no issues and asks this court for an independent review of the record to determine whether there are any issues that would, if resolved favorably to defendant, result in reversal or modification of the judgment. (*People v. Kelly* (2006) 40 Cal.4th 106; *People v. Wende* (1979) 25 Cal.3d 436.) Defendant was notified of her right to file a supplemental brief, but has not done so. Upon independent review of the record, we conclude no arguable issues are presented for review, and affirm the dispositional order.

¹ All further statutory references are to the Penal Code unless otherwise indicated.

DISCUSSION

In September 2013, defendant admitted a felony violation of intimidating a witness (§ 136.1, subd. (c)(1)) and an attached gang enhancement (§ 186.22, subd. (b)(1)(B)). She was committed to the DJJ for a 90-day diagnostic study. Following this commitment, she was detained in juvenile hall pending disposition. The court ordered out-of-home placement, urging probation to make it local, imposed numerous terms and conditions, including “gang” conditions, and issued no contact orders.

Less than two months later, probation terminated defendant’s placement at R House due to program noncompliance and filed a Welfare and Institutions Code section 777 petition alleging defendant violated the terms and conditions of her placement and supervision. Defendant admitted the violations, including possession of cocaine. The court continued detention outside the home.

Defendant was placed out of county at Crossroads, and made significant progress there. In December 2014, the court vacated placement and ordered return to her mother as the permanent plan, the provision of transitional and independent living services, and participation by defendant and her mother in the WRAP program. The court also reiterated the terms and conditions of wardship previously imposed. In March 2015, probation filed a Welfare and Institutions Code section 778 petition asking that the delinquency proceedings be dismissed as defendant had complied with the terms of her wardship and had met the treatment goals of the WRAP program.

Less than two weeks later, however, probation filed a Welfare and Institutions Code section 777 petition and then first and second amended section 777 petitions based on defendant’s failure to attend school, violation of the “gang” terms by wearing a red 49’ers T-shirt, consumption of alcohol, positive alcohol test results, possession of marijuana, possession of cocaine, and association with gang members. The court ordered defendant removed from the home and placed on detention.

With minor modifications, defendant admitted the violations except for the gang association. Probation recommended and the juvenile court ordered defendant committed to DJJ. After reviewing the entire file, the court agreed “a hundred percent” with

probation's assessment that “ ‘[t]he minor presents as a very sophisticated and manipulative individual who does not have any real desire to disengage in at-risk and criminal behavior.’ ”

Our review of the record discloses defendant was ably represented by counsel at all times. She duly completed and executed admission forms for the original charges and violations alleged in the Welfare and Institutions Code section 777 petitions, and the court properly advised her and conducted voir dire before accepting her admissions and finding they were informed and voluntarily made. Given the record in this case, including the nature of the original offense and the subsequent violations and the multiple, ultimately unsuccessful, prior placements, the court did not abuse its discretion in committing defendant to DJJ. The commitment order accurately reflects the court's disposition.

DISPOSITION

After a full review of the record, we find no arguable issues and affirm the juvenile court's disposition order committing defendant to DJJ.

Banke, J.

We concur:

Humes, P. J.

Margulies, J.